

REMARKS

Applicant has carefully reviewed the Official Action dated January 10, 2007 for the above identified patent application.

At page 2, paragraph 1 of the Official Action, the Examiner has objected to the disclosure on the grounds that the Abstract contains the term "said". In response to this objection, a Replacement Abstract is enclosed deleting the term "said" and replacing it with the term "the".

At page 3 of the Official Action, Claims 1 - 20 have been rejected under 35 U.S.C. Section 112, second paragraph, as being indefinite. In response to the formal grounds of rejection raised in the Official Action, the form of the pending claims has been amended. Applicant respectfully submits that the form of the amended claims complies with 35 U.S.C. Section 112, second paragraph, in all respects, and requests that the formal grounds of rejection of the claims raised in the Official Action be reconsidered and withdrawn in view of the amendments made herein.

At page 4 of the Official Action, Claims 1 - 20 have been rejected under 35 U.S.C. Section 102(e) as being anticipated by Lundblad (U.S. Patent No. 6,497,186). For the reasons to be discussed below, Applicant respectfully submits that Lundblad does not anticipate (or suggest) the claims currently pending in the present application.

Independent Claim 1 is directed to a method for destroying valuable documents stored within a storage space, and independent Claim 6 is directed to an arrangement for destroying valuable documents stored within a storage space. Both the claimed method and the claimed arrangement employ a collecting device comprising a drum in a storage space for storing valuable documents, a collecting vessel for at least partially housing the drum, a destructive agent container in fluid communication with the collecting vessel, an alarm for generating an alarm signal in response to an unauthorized attempt to access the valuable documents, and means for applying a destructive agent from the destructive agent container into the collecting vessel and onto said valuable documents on the drum to destroy the documents in response to the alarm signal.

Contrary to the methods and apparatus disclosed and claimed by Applicant, the Lundblad patent discloses a ring-shaped channel device placed at the ends of a drum and outside the end walls of the drum (See Fig. 3 of the Lundblad drawings). The Lundblad apparatus employs detonation fuses, and does not teach or suggest a collecting vessel as disclosed and claimed by Applicant. As a result, unnecessary contamination of the storage spaces will occur, and the explosion complicates a capillary-based distribution of the destruction agent.

Contrary to the disclosure of the Lundblad patent, Applicant's method includes the steps of providing a collecting

vessel which, at least in part, houses the drum of the collecting device so as to collect the destructive agent released from the destructive agent container in response to an alarm signal and apply the destructive agent onto the valuable documents wound on the drum within the collecting vessel. Applicant's claimed apparatus includes both structure and structural arrangement in which a collecting device comprising a drum for storing valuable documents is at least partially received in a collecting vessel so as to collect a destructive agent released from a destructive agent container in fluid communication with the collecting vessel to be applied to the valuable documents on the drum in response to an alarm signal.

As noted above, the Lundblad patent discloses a method and apparatus for destroying documents within a storage space which operates in a manner significantly different from that disclosed and claimed by Applicant. More specifically, Lundblad does not teach or suggest a collecting vessel receiving, at least in part, a collecting device, for collecting a destructive agent released from a destructive agent container into the collecting vessel. Although the Official Action states that Lundblad discloses a collecting vessel designated by reference numerals 11 - 17 (Official Action dated January 10, 2007, page 4, last paragraph, lines 1 - 4), elements 11 - 17 of Lundblad are storage spaces, not collecting vessels within storage spaces (See Column 1, lines 44 - 48 of the Lundblad specification). In the methods and apparatus disclosed and claimed by Applicant, the storage spaces

(designated by references numerals 10 - 13) are different elements from the collecting vessels (designated by reference numeral 50). Thus, the Lundblad patent does not teach (or suggest) a method or apparatus including the structure (a separate storage space, a separate collecting device, and a separate collecting vessel) and the structural arrangement (a separate collecting device housed, at least in part, in a separate collecting vessel within a separate storage space) as disclosed and claimed by Applicant.

It is well established that a rejection of a claim as being anticipated by a prior art reference requires the Patent & Trademark Office to establish a strict identity of invention between the rejected claim and a single applied prior art reference. Stated in other words, a rejection of a claim as being anticipated by a prior art reference is improper unless a single applied prior art reference discloses all features of the rejected claim, as arranged in the claim. See, for example, Connell v. Sears, Roebuck & Co., 220 USPQ 193 (Fed. Cir. 1983).

In the instant case, it is clear that there is no strict identity of invention between independent method Claim 1 or independent apparatus Claim 6, and the method and apparatus disclosed by the Lundblad patent. As discussed herein, Lundblad does not teach all steps recited in the independent method claim, and does not teach the structure or structural arrangement recited in the independent apparatus claim. Moreover, as a

result of the distinct differences between the manner in which Lundblad destroys documents, and the methods and apparatus disclosed and claimed by Applicant, there is clearly no suggestion in the prior art itself to modify the Lundblad disclosure in any manner rendering Applicant's claims obvious.

For the reasons discussed herein, Applicant respectfully submits that independent method Claim 1 and independent apparatus Claim 6 are patentable over the prior art of record. The remaining dependent claims, which depend from at least one of the pending independent claims, are believed to be allowable at least for the same reasons as the respective parent independent claims.

Applicant respectfully submits that all pending claims are in condition for allowance, and favorable action is respectfully requested.

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Also enclosed is a Petition to extend the time for responding to the outstanding Official Action for three (3) months, through and including July 10, 2007. The required fee for the requested extension, at the small entity rate, is also enclosed. Applicant has previously qualified to pay fees in

connection with this patent application at the reduced small entity rate.

Respectfully submitted,

  
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